

amended to recite that the advertisement is made of a size sufficient to be viewed from the earth. Support for this amendment can be found in the specification on page 7, lines 7-9. As these amendments do not introduce any new subject matter, their entry at this time is warranted.

Claims 1-4 were rejected under 35 U.S.C. § 102(b) as being anticipated by the NASA Space Shuttle Program for the reasons given on page 2 of the Office Action. It was stated that numerous spacecraft have been launched into orbit with "advertisements" on them including spacecraft of all sizes and shapes and that the space station will eventually be 100's of meters long. The claims, as currently amended, overcome this rejection for the reasons that follow.

The art provided shows a space shuttle and space shuttle cargo bearing the NASA emblem. By contrast, the present invention as currently recited in claim 1 is directed to private sector advertisements. The NASA emblem is not a private sector advertisement. In addition, it is not asserted that NASA purchased an advertisement location on the space shuttle, as recited in claim 1. As currently recited in claim 12, the advertisement is of sufficient size to be viewable from earth. The art cited does not indicate that the NASA emblem is viewable from earth. In addition, as currently recited in claim 15, the advertisement location is on the solar sail of a spacecraft. The NASA emblem is shown on the side of cargo deployed by the space shuttle and not on a solar sail.

In addition, the dependent claims contain recitations that further define the presented invention over the cited art. For example in claim 8, the advertisement is for products and services separate from the construction and operation of the spacecraft. TRW and Boeing, for example, make and sell products and services specifically for the construction and operation of the spacecraft. Claim 4 recites that the advertisement is large enough so that it can be seen from the earth by a telescope. Claim 6 recites that images of the advertisement captured in space and transmitted to earth are broadcast over a world wide web computer internet, and claim 7 recites that the images are broadcast to a page on the world wide web that includes a link to another site on the world wide web where the products or services contained in the advertisement can be purchased. The NASA Space Shuttle Program fails to teach or disclose any of these features. In addition, the Space Shuttle Program does not teach or suggest solar sails containing advertisement locations and advertisements or transmitting images to the public in real time as recited in claims 12 and 18. Therefore, the NASA Space Shuttle Program fails to teach or disclose all of the features of the present invention as currently recited, and the rejection has been overcome.

Claims 5-11 were rejected over 35 U.S.C. § 103(a) as being obvious over the NASA Space Shuttle Program in view of U.S. Patent No. 5,183,225 to Forward or U.S. Patent No. 4,262,867 to Piening for the reasons given on page 3 of the Office Action. It was asserted that it would have been obvious to launch the satellites of Forward and Piening as payload in the Space Shuttle Program. This rejection is traversed for the reasons that follow.

The shortcomings of the Space Shuttle Program are not overcome by reference to Forward or Piening either alone or in combination. Forward is directed to a class of artificial space objects attached to a solar light pressure propulsion system. Piening is directed to an apparatus for influencing or modifying the position and attitude of an orbitally traveling spacecraft or satellite by a solar radiation responsive means having an operating surface responsive to pressure from solar radiation. Although directed to spacecraft, neither reference is directed to selling advertisement for spacecraft generally or to placing an advertisement on a solar propulsion system. In fact, neither Forward nor Piening contain any teaching or suggestion related to the spacecraft advertising methods and products of the present invention. The method of advertising of the present invention achieves the benefit of providing a revenue stream to offset the high cost of space missions. As certain products and methods of the present invention are targeted to the public and to products separate from the construction and operation of the spacecraft, a greater source of potential advertising revenue exists. In addition, a link to the general public through advertising increases public interest and involvement in the space program in general.

Therefore, one of ordinary skill in the art would not look to the disclosures of Forward and Piening to practice the method of advertising or the spacecraft of the present invention. In fact, given the disclosures of Forward and Piening, one of ordinary skill in the art would not expect success in practicing the method of the present invention or in making the spacecraft of the present invention. Thus Forward and Piening, either alone, in combination, or in combination with the NASA Space Shuttle Program do not render the present invention obvious, and this rejection should be withdrawn.

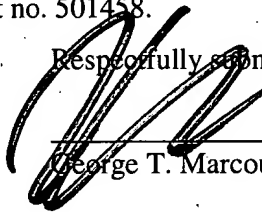
Applicant submits that the application is now in condition for allowance, early notification of which is respectfully requested. As the total number of claims as amended is twenty and the number of independent claims is three, no fee is believed due for the submission of this amendment. Should any fee in fact be due, please charge such fees to Kilpatrick Stockton LLP deposit account no. 501458.

Date:

6/19/02

KILPATRICK STOCKTON LLP  
607 14<sup>th</sup> Street, N.W., Suite 900  
Washington, D.C. 20005  
(202) 508-5800

Respectfully submitted,



George T. Marcou

Reg. No. 33,014

## APPENDIX A

1. (Amended) A method of advertising commercial products or services, comprising:

- a) purchasing [providing a spacecraft with] an advertisement location on an external portion of [the] a spacecraft;
- b) creating an advertisement of a[n] private sector entity that sells goods or services to the general public; and
- c) having [placing] said advertisement of said entity placed on said advertisement location.

2. The method of claim 1, wherein said spacecraft is delivered into space via a carriercraft, and said advertisement is not viewable before or during launching of the carriercraft from the earth's surface.

3. The method of claim 1, further including providing a camera on a carriercraft carrier from which the spacecraft is deployed and obtaining images of the spacecraft after deployment which show the advertisement located on the advertisement location, and transmitting the images for reproduction or broadcast to the public.

4. (Amended) The method of claim 1, further comprising:

making [including providing a telescope or the like on the earth from which images of] the advertisement [located on the advertisement location] large enough so that

it can be seen from the earth by a telescope.], and transmitting the images for reproduction or broadcast to the public].

5. (Amended) The method of claim 1, wherein:

said spacecraft includes a solar sail having a surface; and

said advertisement location is [along] disposed on [a] the surface [of the solar sail].

6. (Amended) The method of claim [1]4, wherein images of the advertisement in space transmitted to earth are broadcast over a world wide web computer internet [said spacecraft includes at least one large sheet or membrane along which the advertisement is mounted].

7. (Amended) The method of claim 6, wherein the images are broadcast to a page on the world wide web and the page further comprises a link to another site on the world wide web where the products or services contained in the advertisement can be purchased [large sheet or membrane is a solar sail].

8. (Amended) The method of claim [6]1, wherein the advertisement is for products and services separate from the construction and operation of the spacecraft[larger than 1/2 kilometer in length].

9. (Amended) The method of claim [7]1, wherein the advertisement [is larger] comprises a length greater than [½] 1 kilometer [in length].

10. (Amended) The method of claim [7]1, wherein the advertisement further comprises data, images, statements, material, objects, or information of individual consumers [is larger than 1 kilometer in length].

11. (Amended) The method of claim [8]4, wherein the advertisement is [larger than 1 kilometer in length]viewable by a telescope of moderate strength.

12. (New) A method of advertising commercial products or services, comprising:

- a) purchasing an advertisement location on an external portion of a spacecraft;
- e) creating an advertisement of an entity that sells goods or services to the general public;
- f) making the advertisement of a size sufficient to be viewed from the earth; and
- g) placing said advertisement of said entity on said advertisement location.

13. (New) The method of claim 12, wherein the advertisement can be viewed from earth by a telescope.

14. (New) The method of claim 13, wherein the telescope is of moderate strength.

15. (New) A spacecraft capable of providing advertisement during space flight, the spacecraft comprising:

- a solar sail operatively attached to the spacecraft to provide propulsion; and

an advertisement location disposed on the solar sail to accept an advertisement from a private sector entity that sells goods or services to the general public; wherein the solar sail is deployed in space and the advertisement location is only viewable upon deployment.

16. (New) The spacecraft of claim 15 further comprising a carriercraft attached to the spacecraft to carry the spacecraft into space and to deploy the spacecraft and solar sail.

17. (New) The spacecraft of claim 15, further comprising a camera to view the advertisement upon deployment of the solar sail and to transmit viewed images of the advertisement to earth.

18. (New) The spacecraft of claim 17, wherein the images are transmitted in real time.

19. (New) The spacecraft of claim 15, wherein the solar sail propels the spacecraft by reflection of solar radiation.

20. (New) The spacecraft of claim 15, wherein the advertisement location is viewable from earth.